

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
APRIL 19, 2005

1. WORKSHOP MEETING

- 1.1 Mayor Dirksen called the meeting to order at 6:30 p.m.
- 1.2 Council Present: Mayor Dirksen; Councilors Harding, Sherwood, Wilson, and Woodruff.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items

Mayor Dirksen said he would be attending the Prayer Breakfast on April 5 at 7 a.m. Councilors Woodruff and Wilson said they might attend as well.

2. UPDATE – COMMUNICATION/CITIZEN INVOLVEMENT

Assistant to the City Manager Newton presented the staff report on this agenda item. Packet materials included a memorandum dated April 4, 2005, from Ms. Newton to the Mayor and Council regarding the City's communication and citizen involvement programs.

Ms. Newton reviewed with the Council the Focus on Tigard program. She reported that little public comment has been received on this program; however, City Council meetings appear to be popular. She suggested that presentations, similar to the Focus on Tigard, could be done at City Council meetings. Features could be edited out of the City Council meeting tapings and replayed as feature programs.

There was discussion on the "TVTV Bulletin Board Announcements." Ms. Newton suggested that the announcements that are made during the monthly Focus programs could air on the TVTV Bulletin Board. In addition, she noted that Planning Commission and Hearings Officer meetings could be aired. Councilor Harding said she has heard the comment that the CPO4B mailings are showing more information on land use than City of Tigard publications.

City Council discussed and then agreed to the discontinuation of regular Focus programming as was suggested by Ms. Newton. Councilor Wilson noted he would like staff to maintain their television programming skills. In the future, video broadcasts would be a good way to communicate with citizens on the City's website. There was a suggestion that two- to ten-minute news stories be recorded and aired on TVTV.

Consensus of the City Council was to proceed with the staff recommendation, beginning July 1, 2005.

There was discussion on obtaining survey information to determine what viewers are watching. Interim City Manager Prosser noted that Councilor Harding is the liaison to the Metropolitan Area Communications Commission (MACC) and she might want to approach MACC about such a survey. Discussion followed about obtaining citizen input. Mayor Dirksen suggested that highlights of other boards and committee meetings could be aired rather than showing an entire meeting.

Ms. Newton reviewed the changes in the Cityscape newsletter, which included announcements of various City-related meetings and a feature article each month on a Council goal. Ms. Newton said the "Did you know" section of the Cityscape has proven to be popular. She also noted a special section for volunteers has been added.

Ms. Newton advised that Cityscape sizes are as follows: two 12-page editions; two 4-page editions; and the remaining editions consist of eight pages. In the budget proposal for the next fiscal year, staff recommends the Cityscape be published every month.

Information published in the Cityscape is also posted on the City's website. Periodically, staff investigates whether it would be cost-effective to publish Cityscape on the website with a direct mailing to those residents who do not have Internet access.

Ms. Newton reviewed the Community Connector program. She introduced the following Community Connectors: Basil Christopher, Stacie Yost, and Teddi Duling. Ms. Newton presented information on a proposed enhanced community connectors/neighborhood program. This program could provide neighbors information about land use, CERT training, school connections, Neighborhood Watch, and identify Community Assessment Program liaisons (to address neighborhood issues), clean up days, and give input on capital improvement program projects. Two open houses were held to introduce the neighborhood program. Attendance was somewhat disappointing; but, those who attended indicated they liked the idea of a neighborhood-based program and the elementary school boundaries for the neighborhood areas were a good idea.

Ms. Newton reviewed the timing for implementing the new neighborhood program. She advised that a boundary review would be completed by the end of July. Boundaries would be adjusted so approximately 1200-1400 people would be in each area. The neighborhood program would not be meeting based; rather, there would be a steering committee with liaisons identified to assist people when needs

arise or if there is an issue. During discussion it was noted that each neighborhood could have its own webpage.

Ms. Newton advised that if Council accepts the neighborhood program concepts recommended by the Citizens for Community Involvement (CCI), a pilot program would be initiated on July 1. Boundaries would be further refined and three or four neighborhoods identified to work through details and to test the concept with adjustments made as appropriate. There will be a report to the City Council at the end of the year with the "kick off" for the new program scheduled for January 2006.

Mayor Dirksen said it appears the neighborhood program concept was on the "right track," but said there was a lot more work to be accomplished. He suggested that the boundaries not be fragmented.

Councilor Wilson said the concept was good and liked establishing boundaries based on school attendance since people often already know each other. He noted the challenge would be to overcome apathy. He suggested that a member of each neighborhood area serve on the CCI.

Councilor Woodruff said 12 neighborhoods would be a manageable number. He suggested polling information be gathered to determine if the boundaries drawn seemed logical to those who reside in the areas identified.

Assistant to the City Manager Newton said she would continue to work on this program as outlined.

Police Department Information Officer Wolf and Web Page Manager Soares reviewed a potential program to share statistical information with the public on the City's website. Mr. Wolf said he routinely spends a number of hours responding to inquiries about quality of life issues/activities within neighborhoods. There is a program that would enable people to access information from the City's website to see what kinds of activities were occurring in their neighborhoods, such as: burglaries, auto theft, and assault. Mr. Soares reviewed with Council two options – one which was a "static" method to present crime data and the other option would be interactive. The example that was shown to the Council represented the last nine months of City data. The cost for interactive software was \$10,000 with a maintenance fee of \$2000 per year.

Councilor Wilson noted he would be concerned about whether people would have a good frame of reference as to what was occurring elsewhere when mapping crimes for a particular neighborhood. Mr. Wolf said comparative numbers could be incorporated to avoid misconstruing the information. It was noted that Washington Square has shoplifting issues, which affects the crime rate not only for that area but statistically for Tigard as a whole. Police Chief Dickinson acknowledged that statistics are subject to interpretation. Mr. Christopher noted

that these types of statistics would serve those who already reside in Tigard. Assistant to the City Manager Newton said this would be a good tool for Neighborhood Watch.

Interim City Manager Prosser said that if the City Council wanted to continue to explore this program, it was not in the proposed budget.

3. JOINT MEETING – COMMITTEE FOR CITIZEN INVOLVEMENT (CCI)

CCI members present: Basil Christopher, Teddi Duling, Stacie Yost.

Community Development Director Hendryx reviewed the staff report on this agenda item, which included a brief review of the history of Tigard's citizen involvement program. The CCI had become inactive in recent years. In January, the City Council adopted a resolution broadening the role of CCI and increasing the membership to include representatives from all active City boards and committees.

CCI's responsibilities include evaluating all City communication and public involvement activities.

The purpose of the discussion tonight was to provide an opportunity for CCI and Council to discuss the new Neighborhood Program and other citizen involvement and communication topics.

CCI members were invited to share their ideas about the citizen involvement activities. Ms. Yost said she has found it both enlightening and frustrating when attempting to outreach to the public. She said she hoped the Neighborhood Program would help and thought this would be a good start to improve communication with City residents.

Ms. Duling said she supported using school boundaries to identify areas for the Neighborhood Program.

Mayor Dirksen said he looked forward to having all members of the named and appointed.

Councilor Sherwood noted the work to be accomplished for the Comprehensive Plan update and it would be important for the CCI to be involved.

Councilor Woodruff acknowledged Ms. Yost's assistance as the facilitator for the Council's Fifth Tuesday meetings.

Councilor Harding offered some ideas about a citizen survey to find out what citizens want including instituting performance measures and assigning a

neighborhood liaison to individual Council members.

4. REVIEW – POLICIES AND PRACTICES FOR ACQUIRING PARK LAND AND OPEN SPACES

Public Works Director Koellermeier reviewed the staff report on this agenda item. In response to the 2005 Council Goal to identify and acquire park land and open space, staff reviewed current City policies to determine if these policies support the Council goal to acquire land. Staff identified the following issues for Council discussion and direction:

- a. Does the City have the authority to purchase land outside the City limits?
- b. What is the City's policy/practice on purchasing land outside the City limits?
- c. Is the granting of SDC credits an administrative act or a matter for Council?
- d. Discussion of criteria matrix to evaluate park and open space dedications by developers.

The staff report contained in the Council meeting packet included the City Attorney's opinion on the above issues. The Attorney advised the City has the authority to purchase land outside city limits. With regard to the question on SDC credits, the Attorney opined that SDC credits are usually granted administratively without Council approval; however, staff asked for confirmation from Council to determine if Council desired to keep this as an administrative function.

Councilor Wilson asked if the City could purchase property with park funds and then later, if it was determined the City wanted to buy park property elsewhere, sell the property to buy another piece of land for a park? Interim City Manager Prosser said this could be done under certain circumstances, depending on how the transactions were accomplished. He cautioned that Internal Revenue Service regulations would need to be considered. Interim City Manager Prosser noted State law would govern how SDC dollars are to be spent.

Councilor Wilson commented on the past City policy to purchase park land only if it was located inside city limits – this was shortsighted. As a result, no park land has been set aside on Bull Mountain. If property is acquired by the City on Bull Mountain, but then this area does not come into the City, he would want the option of selling the property to purchase other park property for Tigard.

Councilor Woodruff agreed he'd like to have flexibility with regard to reselling property. He referred to a recent discussion during a Fifth Tuesday meeting about the Park and Recreation Advisory Board's discussions on potential park properties and spending City money on property outside the city limits. He heard that there was concern that all park money was going to be spent on Bull Mountain and that this was a "done deal." He said PRAB would benefit from Council direction on this matter. He would like to be able to say that if there are equal opportunities, do we

have some parameters of how the money should be spent; i.e., if there are *equal* opportunities should it be said that 50 percent of the money available should go to buying property within the City and 50 percent out of the City? If PRAB was given that kind of direction, it would help them to know how to allocate and prioritize the funds.

Mayor Dirksen referred to the City Council discussion during its goal setting and he recalled City Council was amenable to considering properties regardless of whether the property was in or out of the City. He said this was a new proposal with regard to the request for a Council decision on a percentage of funds to be spent in or out of the City.

Councilor Woodruff referred to criticism whereby some people were saying too much was planned to be spent outside the City, while some others think that's where the park land deficiency is and that's where the money should be spent. He suggested the Council give general direction to assist PRAB as this Board develops recommendations about how available funds should be spent if there are opportunities to buy land both in and out of the City.

Public Works Director Koellermeier noted park property purchases are complicated. For example, some potential park property is publicly owned (Water District property). Acquisition of this land can be accomplished through inter-fund loans that are repaid over time. It was possible to build a park acquisition proposal by identifying unique funding strategies for each property.

Interim City Manager Prosser agreed with Public Works Director Koellermeier that flexibility is needed when purchasing land, as it is not known what land will become available at any given time. Interim City Manager Prosser said he thought he heard Councilor Woodruff asking whether there was a general preference to serve the existing city over and above the future city – or vice versa? Is this something that the City Council can tell staff now, or should the City Council, as it did during the goal setting, direct staff to consider opportunities for the entire area.

Councilor Harding suggested looking at areas that are most underserved. She said she attended a PRAB meeting and it appeared that the Board members were under pressure regarding where dollars should be spent. She spoke to involving citizens and focusing on areas that are underserved. She said that coming up with a "formula" might prove to be difficult. Park land on Bull Mountain could also serve people who live in Tigard.

Councilor Wilson suggested the Council consider establishing principles to help staff and the Park Board take advantage of opportunities as they arise. Councilor Sherwood commented in support for flexibility to take advantage of those instances when good park land property becomes available either in or out of the City -- the City needs to be able to "move on it."

Councilor Woodruff agreed the “principles” or “parameters” should be flexible. He noted the Park Board needs something from the Council so they can proceed. He said the Board is receiving criticism and, as policymakers, the Council needs to give the Board some general direction.

Councilor Wilson suggested that the overwhelming majority of funds for park development should be going to those who are paying to “foot the bill.” However, the City ought to look to the future as much as possible for those areas that might become park deficient when it becomes part of Tigard. Councilor Wilson said consideration needs to be given as to where the money is coming from. Existing neighborhoods should not be “shorted” to fund future growth as this is what SDC money is for. Councilor Wilson suggested the principle could be stated that: General Fund monies are to fund purchases within the City boundary and SDC’s would be to fund growth. He noted the City has some “catch up to do” and referred to the Parks Master Plan that shows areas that are underserved.

Mayor Dirksen said, when looking at underserved areas, property within the urban services boundaries should also be considered. In addition, Mayor Dirksen noted the City should take advantage of opportunities to purchase parcels that are of some size as opposed to very small parcels. The smaller parcels he said are less useable. Councilor Sherwood commented that the smaller parcels also become “maintenance nightmares.”

Councilor Harding suggested it might be a good idea to consider purchase options to lock in the price on properties and maximize dollars. Interim City Manager Prosser agreed that purchase options would be a good tool for the City to use.

Interim City Manager Prosser summarized what he had noted as Council direction:

- General Fund money should be used to support purchases within the City boundary;
- SDC’s should be used to fund growth;
- Priority to be given to park deficient areas regardless of whether the property available for purchase is in or out of the City limits;
- Allow for opportunities to purchase larger parcels rather than small, if there is equal opportunity.

Councilor Wilson noted the Council had not discussed buying property for later development. He asked if there was a sense that property was getting so expensive and disappearing so quickly that there should be some land banking? Other Council members commented they supported land banking.

Public Works Director Koellermeier noted there are some potential properties that are already in public ownership. The cost of acquiring these properties would be

nominal, so the decision will need to be whether the City wants to develop these parcels into parks. These parcels are all currently located within neighborhoods. Public Works Director Koellermeier noted all these decisions will come back to the City Council for its consideration and approval. He noted he was asking for early direction so staff does not bring to City Council items that are not consistent with overall policy direction.

Interim City Manager Prosser said the questions of whether or not to develop a parcel might be dependent on whether the property is located in or out of the City since there would also be consideration for maintenance costs once the land is developed. Park maintenance is funded through the General Fund.

Councilor Woodruff said he thought the Council was looking primarily at purchasing open spaces and land banking, rather than for development at this time. Several City Council members noted their agreement.

Interim City Manager Prosser noted that direction from previous councils regarding not purchasing property outside the boundary was a practice that was not stated formally. Interim City Manager Prosser suggested it would be a good idea to codify Council direction in a resolution to give staff formal direction and also provide documentation about this direction for future Councils.

Public Works Director Koellermeier noted the third issue staff was asking for direction from Council on was regarding SDC credits. This relates to those times when members of the development community want to donate parcels to the City. Sometimes this is a "pure donation" where the developer does not expect any consideration in return, while at other times, a developer is requesting offsetting SDC credits in lieu of cash payment (as provided by State law). Public Works Director Koellermeier asked for clarification from City Council whether this is an administrative function or a Council-based function? The City Attorney has advised that this is generally considered to be an administrative task.

In response to a question from Councilor Sherwood regarding whether there was any previous policy concerning the size or the amount of land donated, Public Works Director Koellermeier suggested the Council discuss the fourth issue identified by staff. This last issue before the Council this evening pertains to developing a procedure to evaluate and deal with donated property. He said staff has put together a "simplistic" process that identifies criteria including

- location
- size
- accessibility
- visibility
- clear title
- linkage to other properties
- a developable park parcel

- utilities available
- usability
- cultural significance
- unique site (i.e., grove of trees, wetlands)
- liability issues (related to size or location)
- additional investment required (i.e., site clean up or fencing required immediately)
- mitigation issues associated with the parcel
- compliance of parcel to the Parks System Master Plan (is it located in an area identified as park deficient)

Public Works Director Koellermeier said the above listed items are the types of things staff would take into consideration. If the developer is requesting an SDC credit, he thinks the Council should be asked to make the determination, at least in the beginning of the process. Public Works Director Koellermeier said he would like Council to consider all offers of donations and as it becomes routine, then it might evolve into an administrative function. During discussion on how the Council would consider this information, Public Works Director Koellermeier said the staff would provide a recommendation based on identified criteria.

Councilor Woodruff suggested the City publicize that the City is open to donations. Councilor Wilson asked noted he is currently working on a project where the developer would rather build the facilities, which also helps with their sales resulting in a "win/win" situation for the local jurisdiction and the developer. The problem with the project is that there are no criteria for reviewing the plans. Also, there's a question as to whether the park facility is worth the value of the SDC dollars that would have been collected. Councilor Wilson asked Public Works Director Koellermeier if there is a need to develop a policy on this situation? Public Works Director Koellermeier said as long as donation criteria are established in such a way that the Council has the final decision, this should not be an issue. All options should be kept open. Public Works Director Koellermeier said another thing to keep in mind is to keep an SDC cash flow so large parcels can be purchased rather than giving it (SDC's) all "out in credits."

Councilor Woodruff noted that if PRAB comes to the City Council for a park bond, then the public would want to see whether the City is using the current money wisely.

Interim City Manager Prosser said staff will develop a resolution for Council's consideration. In the meantime, the discussion this evening provided general direction for staff to proceed.

Council meeting recessed at 8:02 p.m.

Council meeting reconvened at 8:09 p.m.

5. DISCUSSION – URBAN RENEWAL PROGRAM ELEMENTS

Community Development Director Hendryx presented the staff report. The Council has a 2005 goal of implementing the Downtown Plan with a sub-goal of urban renewal. The plan is to have urban renewal before the voters in May 2006. Staff, legal counsel, and Council are doing the necessary steps to accomplish this goal. Last week the Council approved two Requests for Proposals for consultants to help put together an urban renewal plan and a public outreach program for the urban renewal effort. There are some governance issues decisions that need to be made by the Council. Community Development Director Hendryx advised he had three points for which he was seeking City Council direction:

- Composition of the Urban Renewal Agency. (City Center Development Agency)
- Composition of the City Center Advisory Commission
- General concurrence on a public involvement program

Community Development Director Hendryx advised he would be returning to the City Council periodically until May 2006 as there are a number of decisions that will need to be made by the Council.

Community Development Director Hendryx discussed with the City Council the composition of the City Center Development Agency (CCDA). The TMC identifies the City Council as the CCDA; however, the City Council could opt to designate another body as the CCDA. If another body was selected by City Council, decisions would need to be made by June 28, 2005, on who would serve on this Agency, how members would be recruited, and the TMC would need to be amended to reflect that City Council had decided the CCDA would be made up of individuals other than City Council members. Community Development Director Hendryx advised that in July the CCDA and the Planning Commission start the process of reviewing the consultant's work on the urban renewal plan. The Planning Commission and City Council will receive the plan for review in October/November for final action in December. Community Development Director Hendryx noted that while the timeframe is constrained, it is "doable."

Community Development Director Hendryx reviewed with Council the following:

Pros – Council serves as CCDA

- TMC is set up for Council to act as CCDA so there would be time savings.
- Council would stay very involved in this process, which is also one of the City Council goals.

Pros – Council appoints another group to serve as CCDA

- Additional community involvement.
- Potential for different expertise that to be drawn from other individuals

Cons – Council appoints another group to serve as CCDA

- Pressures on the established timeframe.

Council discussed whether it wanted to function as the CCDA. It was pointed out that City Council could start out as the CCDA and then decide at a later date to establish a separate CCDA comprised of non-Council members. Interim City Manager Prosser noted that once the City Council designates another body, it would have less direct impact on decisions being made with regard to the urban renewal. The benefit to retaining Council's role to serve as the CCDA is that the Council would remain in the "driver's seat." Interim City Manager Prosser noted there are good reasons to go either way. Councilor Sherwood also noted that every two years the composition of the City Council could change, which would be a good reason to appoint another body. Councilor Woodruff pointed out that the current City Council would still be in office by the time the urban renewal was ready to go to the voters and suggested that at a later date, the City Council could designate a separate CCDA. Councilor Wilson agreed that because the urban renewal is such a high priority, the Council should serve as the CCDA. Councilor Harding noted she agreed that in the interest of time and to get the urban renewal program launched, the City Council should serve as the CCDA. Mayor Dirksen suggested the possibility that the City Council retain the authority as the CCDA through the election, but state "up front" that it's the City Council's intention to appoint another group to serve as CCDA after the election.

Downtown Task Force Chair Marr was present and noted he was comfortable with the City Council's conversation about the concern about being able to form a CCDA within the next 60 days. He said he appreciated the City Council's openness to create an Agency within a short period of time. Mr. Marr advised that this is a long-term plan that will need consistency of people serving on the agency who have expertise in finance, development, and public relations. He noted that the Council's responsibilities for running the City are very time-consuming. Urban renewal represents a whole new project that has not been part of the Council's timeframe and it will require a lot of time. Mr. Marr said he believed the CCDA should be a separate body. He proposed that CCDA members be appointed by Council and be accountable to the Council, serving at Council's pleasure for a term of three- to five-years and subject to reappointment. He said the Council should have an ongoing right of veto for any major project recommended by the CCDA. He suggested the CCDA operate routinely with opportunity to seek out expertise, technical assistance, and have City staff assistance to create design and conceptual ideas. In summary, Mr. Marr said he concurs with the City Council

serving initially as the CCDA and that the City Council would within a short period of time (i.e., in the next six months) identify the CCDA and the advisory group. In response to a question from Councilor Sherwood, Mr. Marr said he would support forming a separate CCDA before the May 1996 election for public awareness.

Community Development Director Hendryx summarized Council consensus:

- Initially the City Council would serve as the CCDA – the proposed resolution would indicate that the City Council might, at a future date, transfer the CCDA responsibilities to another body.
- If the County is successful with a corridor-wide project, the resolution would indicate that this project might be incorporated with the Downtown Plan.

In response to a question from Mr. Marr, Community Development Director Hendryx said the ballot title would be limited to the urban renewal plan and tax increment financing – there would not be any need to make a declaration about the CCDA.

Councilor Wilson noted he would prefer the City Council not state there would a CCDA formed that was separate from Council because people might be concerned about forming another layer of government. He pointed out that it is not known if the vote will be successful or if the City will be joining the County's effort, which might mean a different agency would be formed. He suggested keeping the urban renewal process simple and move ahead step by step.

Councilor Woodruff suggested the City Council start out as the CCDA and then determine later if the CCDA responsibilities should be separated to non-Council members. Mayor Dirksen said there should be a specific time frame for transfer to a different agency as he thought there would be those who are concerned if the Council is the CCDA.

Interim City Manager Prosser suggested that the CCDA formation be tied to the Downtown Plan as it is developed.

Additional discussion was held on the timing for CCDA formation, composition, and timing.

In response to a question from Councilor Harding, Interim City Manager Prosser advised that in his experience it is common for the governing body of the jurisdiction to serve as the governing body of the urban renewal agency. The major exception is the Portland Development Commission. Under budgeting and accounting rules, the Agency is a subset of the City, which suggests that the governing body must have the final say. He acknowledged Mr. Marr's concern about the need for continuity and expertise, but at this stage, Interim City Manager Prosser would like for options to be explored rather than to set a specific course

only to learn later there are other issues that need to be taken into account. If the voters approve the urban renewal ballot measure, then whatever is set up will be in effect for the next 20-30 years. Therefore, in order to stand the test of time, Council will need to look carefully at the various options to determine what will work best.

Community Development Director Hendryx said it was important to recognize that the City Council ultimately approves the plan: projects, priorities, and tax increment financing. The Agency makes recommendations to the City Council even if a separate Agency is created. An advisory committee to the CCDA would also be formed.

Mr. Marr said in his scenario he would expect that CCDA members would have expertise and then "someone like myself" would be appointed to serve on the citizens advisory committee.

Councilor Woodruff suggested that the decision on the CCDA be tabled until September since the consultant would be known by then and the Council will have the benefit of additional public input.

Mayor Dirksen said at this time the Council will serve as the CCDA. Mr. Marr said this was agreeable to him as long as the Council keeps the "door open" to formation of a separate agency for the long-term scenario.

Community Development Director Hendryx noted there is a City Center Advisory Commission (CCAC) that will need to be established to advise the CCDA on the plan, project identification, and the public outreach. CCAC is comprised of 7-12 members. Community Development Director Hendryx said the Council needs to give direction on the makeup of this group. Should the CCAC be made up of community members at large? Community Development Director Hendryx noted he could ask for interested community members in the next Cityscape if the City Council gave him direction tonight. Or, should the CCAC be made up of Planning Commission or representation from existing board and committee members, including the Downtown Task Force? Community Development Director Hendryx said he believed there were benefits to having a wide group of people including those with special interests: environmental, financial, etc. A selection process must be set and decided upon by the Council by resolution on June 14, 2005, with members appointed by the end of June.

In response to a question from Councilor Wilson, Community Development Director Hendryx advised the CCAC would be involved with the development of the urban renewal plan, project identification and public outreach. It's role would be similar to that of the Planning Commission's charge to assist the City Council. Interim City Manager Prosser said in his experience in Lake Oswego, the Advisory Committee was utilized to review and make recommendations to the Board about

redevelopment proposals. Community Development Director Hendryx suggested that some members of the Downtown Task Force be considered to serve on the CCAC.

Councilor Woodruff said he liked the idea of existing advisory groups serve on the CCAC along with new people. He suggested membership might be comprised of three people from the Downtown Task Force and representatives from the Planning Commission, and then four additional people. He noted the number of qualified applicants the City receives for vacant board and committee positions.

Councilor Wilson noted that as he reviewed the packet material, he formulated the idea that the CCDA would be the City Council and the CCAC would be comprised of technical people. He said there has been the citizen process of forming the vision and now at the implementation stage, it becomes more technical. He noted the need for a policy group and the technical group. Councilor Wilson would like to see continued participation from members from the Downtown Task Force as those individuals established the vision along with people who have backgrounds in area such as real estate, development, and finance, etc.

Mayor Dirksen, in response to Councilor Wilson's comments above, said he thought that what he was hearing from Mr. Marr was that the CCDA would report to the Council and the CCAC would be the citizen involvement group making recommendations to the CCDA.

Discussion followed on the makeup of the CCAC with consensus for twelve members:

- 6 from the Downtown Task Force (Note: Task Force will select those to be appointed to the CCAC)
- 1 from the Planning Commission (Note: Commission will select member to be appointed to the CCAC)
- 1 from the Parks and Recreation Board (Note: Board will select member to be appointed to the CCAC)
- 4 from citizens at large (Note: Council will use Board/Committee member appointment process to appoint these at-large members to the CCAC)

Later subgroups (working groups) could be formed to address and give support for areas in finance, citizen involvement, and technical issues.

Community Development Director Hendryx advised the final area for which staff would like City Council to provide general direction is for the public involvement approach proposed. He reviewed the elements of public outreach and recommended a survey be conducted in the community to determine how the community feels about urban renewal to determine what could make this a

successful campaign. Community Development Director Hendryx advised that community dialogs has proven to be a successful way to get the word out. He suggested that periodic open houses be held such as the recent one held for the Downtown Plan. In addition, there will be public hearings to provide the public an opportunity to review and comment throughout the process. Press releases and other media events/tools will be utilized. Community Development Director Hendryx advised he had not yet taken the public involvement proposal for the urban renewal to CCI. He noted the critical component will be the statistically valid community survey.

Community Development Director Hendryx advised the schedule provides that a consultant will be selected on May 24 for the public outreach. He noted that if an expenditure is under \$50,000, it does not need to go before the Local Contract Review Board; however, he asked whether the Council wanted involvement in approving the contract – how does City Council want to be involved in the consultant selection? Two consultants will be selected: one for the urban renewal plan and one for the public outreach program. Interim City Manager Prosser said that normally staff would publish the Request for Proposal, go through a selection process, conduct interviews and make recommendations. If the dollar amount was of sufficient size, it would come back before the Council (as the LCRB) for approval of the contract. After discussion, it was determined that the Downtown Task Force and staff would be involved in the selection of the consultants. Councilor Sherwood indicated she would like to be involved also (Council liaison).

Council received copies of two charts, which were referred to by Community Development Director Hendryx during his presentation on this agenda item:

1. Public Involvement and Key Dates
2. Council decisions for April 19th Council meeting

In response to a question from Councilor Sherwood there was brief discussion on the Highway 217 urban renewal project. Community Development Director Hendryx advised the County says it can meet the City of Tigard's schedule to coincide with urban renewal for the Downtown Plan. Interim City Manager Prosser said that the City Attorney indicated that if Tigard's urban renewal plan is crafted properly, the City can maintain the option of coordinating with the Highway 217 plan. Councilor Sherwood noted the County is concerned about the viability of the Highway 217 project if Tigard does not participate. Interim City Manager Prosser reflected that part of the value of Tigard participating includes the Washington Square area, which is not part of the Downtown Plan. Interim City Manager Prosser indicated he was uncertain about the extent of the coordination that will be required between Tigard and the County. Councilor Wilson said he would not want the voters to have the perception they were only voting for the urban renewal area for the Downtown and then later have the Washington Square area be added.

Community Development Director Hendryx reminded that in order to use tax increment financing anywhere in Tigard, voters must approve this financing method. Councilor Wilson suggested there might be one election that encompasses urban renewal in general, create the agency, and then have multiple listings. Or, the election might be specific; i.e., only the downtown area. Interim City Manager Prosser said from the tenor of this discussion, it appears that the Council is interested in maintaining the option of coordinating with the Highway 217 project. He advised he feels that staff needs to talk to the lawyers to determine down to the detail how this option can be preserved.

Community Development Director Hendryx advised the purpose of the discussion for this evening was to review with the Council the process as outlined in the timelines. He noted activities will be compressed if the plan is to be on the ballot by May 9, 2006, and he will be returning to the City Council frequently for decisions as the City moves forward on an urban renewal process. If the Council wants to continue to support the Highway 217 corridor project, there are a "lot of nuances associated with that..." Community Development Director Hendryx noted by Council's direction, staff will continue to have this option remain available with the details of how this can be done to be "spelled out" as things get fleshed out further.

General consensus of the City Council was that the public involvement and key dates as presented by staff was acceptable.

6. REVIEW – SOLID WASTE FRANCHISE

Public Works Director Koellermeier presented the staff report on this agenda item. He was assisted in his presentation by Mr. Chris Bell, a consultant that the City has retained to make decisions on solid waste issues including rate adjustments. The purpose of tonight's discussion is to review past solid waste issues and introduce these issues to City Council members who have not had the opportunity to deal with solid waste issues. An outline of the overview of solid waste issues is on file with the City Recorder and includes the following topics:

- Tigard Municipal Code – TMC Chapter 11.04 and Administrative Rules and Service Standards
- Current System (2003 numbers used)
 - Pride Disposal – serves 70% of the City
 - Waste Management – serves 30% of the City
- Residential Collection
 - This is where the bulk of activity takes place, with almost 11,000 accounts.
- Commercial Collection
 - There are about 1,100 commercial accounts
- Drop Box Service

- There are about 6,100 “pulls” per year.
- Annual Franchise Review
 - In March of each year, the haulers are required to submit to Tigard a financial report for the previous year. There is an effort to keep the profit to the haulers between 8 and 12 percent. If the profits fall above or below this range, the rate adjustment process is triggered. The Council will receive this report at its next meeting and a rate adjustment will be necessary. Staff will be returning to the City Council to start this process in May 2005.
- Rate Setting
- Changes to the Current System
 - Mr. Bell outlined the three Oregon Revised Statutes that impact the current and future of solid waste collection in Tigard. He reviewed these statutes which pertain to the Metropolitan Service District, solid waste and recycling. Every ten years, Metro revises its Solid Waste Management Plan for the region. The goal is to arrive at a recovery rate of 64% and Metro has outlined some programs to reach this goal.
- Getting to 64% Recovery (recycling)
- Potential Programs of Expanded Service for Increased Diversion
 - Residential Services
 - Tigard is one of seven or eight jurisdictions in the Metro area to have fully automated collection. The haulers and City staff have discussed the idea of expanding that service to recycling and to have a commingled stream. Glass and oil would be handled separately, but all other materials would be collected in a cart. Staff is still trying to decide what they will recommend for how glass would be recycled for the Council to consider.
 - Another idea is to possibly provide weekly yard debris collection.
 - Commercial Organic Collection (Food Waste)
 - Metro has implemented a program in Portland with some success; however other areas in the region have not participated in such a program.
 - Commercial Outreach
 - Metro is attempting to gain more recovery in the commercial area by expanding its business outreach, mandatory business recycling, and a landfill ban.
 - Metro Model
 - CTAP – a Community Technical Assistance Program – individuals meet with business under the guidance of PSU and local government. Presently, this is being administered by Washington county.

- Write ordinance with minimum standards and enforce with notices and fines (relate to mandatory business recycling)
- Objectives of the Tigard Solid Waste and Recycling System
 - Mr. Bell noted that Interim Finance Director Imdieke is proposing a City Recycling Coordinator to work with local business and haulers. The haulers want to make sure this is a coordinated effort so that promises are not made that cannot be met.
 - The Coordinator would work with the existing programs and ordinance to provide the outreach to the businesses.
 - Tigard was one of the first jurisdictions to provide automated collection services for cost savings and worker safety. The rates have been in effect for about four years. Mr. Bell referred to costs associated with the recycling programs. One of the key elements of a good recycling program is education.
 - Services must be easy to administer by City and haulers.
 - Services must be cost effective and sustainable
 - Model for the Metro region.
- Policy Direction

The following hauler representatives were present:

- Mike Jeffries – Waste Management, Inc.
- Dean Kampfer – Waste Management, Inc.
- Mike Leichner – Pride Disposal
- Cindy Leichner – Pride Disposal

Councilor Woodruff asked about the costs/benefits of recycling. The revenue from recycling does not recover costs; the loss is borne by garbage rates. Mr. Bell noted that recycled materials markets are returning about \$.70 per residential customer per month, but the cost of collecting those materials is \$4.10. With commingling of recyclables, haulers are able to pick up materials more efficiently. Mr. Bell confirmed that Mr. Woodruff's comment that recycling is more a social issue rather than an economic issue.

Councilor Sherwood asked about the "landfill bans." Mr. Bell explained that this relates to the potential policy wherein some landfills won't accept certain materials; i.e., cardboard. He noted the difficulty in administering landfill bans.

Councilor Wilson asked about the rationale behind granting franchises to certain haulers as opposed to letting it be market driven. He noted he understood there were certain efficiencies for household pick up but questioned why drop box services could not be open market. Mr. Leichner said the City controls the franchise by setting the rates and allowing the haulers to attain a certain rate of return. As a result, the citizens of the community are receiving a consistent service. In an open market, there are concerns about consistency of services. The City is collecting fees (3%) for the services the franchised haulers are

providing. It is to the City's benefit to have solid waste services performed by a regulated hauler. Councilor Wilson commented there could be other methods for regulation. Mr. Leichner responded that there is less traffic congestion, impacts to roads, and a higher level of service associated with a franchised collection system as opposed to "helter skelter" solid waste collection activity. Interim City Manager Prosser noted that some services cost more than others, therefore, costs can be averaged out over all services. What can happen with an unregulated market, is that companies might come in and "cherry pick" the very profitable accounts and services, leaving other businesses and residential areas paying high rates. Interim City Manager Prosser said that Portland used to be unregulated market. There was continued discussion about franchises and methods to encourage recycling.

In response to a comment by Councilor Woodruff, one of the haulers explained how areas were set by franchise agreement. Public Works Director Koellermeier noted that the franchises are "perpetual franchise" agreements. Interim Finance Director Imdieke explained that initially there were three franchisors in the City of Tigard – Pride Disposal purchased Schmidt. Mr. Bell noted the City of Sandy recently put solid waste collection out to bid assuming they could get better rates; however, they are now paying a higher rate for the same level of service provided by the franchised service providers. Mr. Bell said that if a jurisdiction has a good relationship with the hauler(s), he would recommend the City continue to cultivate that relationship. Mr. Bell said that the service the haulers have given the community goes beyond the dollar amount on a bill.

Councilor Wilson said he can see that there are good reasons to continue with the franchise agreement; however, he said he was skeptical about the automatic renewal of the franchise agreements. He said he was glad to have the haulers in Tigard, but he would not want the agreement to be taken for granted. There was discussion about the level of services and the "extras" asked for and provided under a variety of circumstances. Mr. Bell encouraged staff and Council members to take a tour of the facilities and collection activities.

Councilor Harding commented on the recycling process and noted her support for the cart service for recycling. She commented on the recycling coordinator, which would be expensive. She noted that there are businesses that shred confidential papers, which are not accounted for in the recycling numbers. She also noted that some janitorial services do not cooperate when disposing of materials prepared for recycling. Mr. Bell acknowledged that this is an issue, especially for large buildings. Mr. Kampfer also noted that the residential recycling (using the bins) needs to be updated with a cart system. There was additional discussion on how to make recycling programs more user friendly.

Mr. Bell distributed a summary report to the City Council on the direction of the solid waste and recycling system in Tigard. Interim City Manager Prosser noted that with the hauler reports, the City will be undergoing a rate review. He said that

if the City Council wants to reevaluate services, this would be a good time to do it. Public Works Director Koellermeier said the staff would return in May with a menu of options along with some recommendations for City Council consideration. Council discussed the lateness of the hour and decided to briefly review Agenda Item No. 7. Item No. 7 will be reviewed in more detail by the Council at a special meeting to be held on April 25, 2005, 5:30 p.m., in the second floor conference room at the Tigard Library.

7. DISCUSSION – STRATEGIC FINANCE PLAN ISSUE PAPERS

Interim Finance Director Imdieke reviewed this agenda item. Interim City Manager Prosser advised that the initial report was prepared by staff last fall. Since that time, several items listed in the Strategic Finance Plan Issues have been completed.

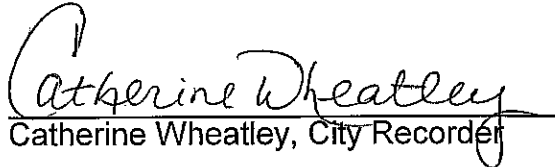
Council reviewed with Interim Finance Director Imdieke the list of Strategic finance Issues to determine which items have been completed and those items that need more discussion. Mr. Imdieke will prepare updated information for Council's review on April 25, 2005.

8. COUNCIL LIAISON REPORTS: None

9. NON AGENDA ITEMS: None

10. EXECUTIVE SESSION: Not held.

11. ADJOURNMENT: 10:16 p.m.


Catherine Wheatley, City Recorder

Attest:



Mayor, City of Tigard

Date: June 14, 2005